HON'BLE SRI JUSTICE GHULAM MOHAMMED

CIVIL REVISION PETITION NO. 1005 OF 2011

ORDER:

This Civil Revision Petition has been filed aggrieved by the Order dated 1.03.2011 passed in I.A.No. 89 of 2011 in F.C.O.P No. 326 of 2007 by the Additional Family Court, Hyderabad.

Petitioner herein is the wife. Respodnent-husband filed I.A.No. 89 of 2011 under Order 7 Rule 10 CPC r/w Section 151 CPC to decide the jurisdiction of the Court. According to the petitioner, respondent herein is his wife and their marriage was solemnized on 11.5.2006 at Rajdhani Function Hall, Hindupur, Anantapur District as per Hindu Rites and Customs. After their marriage they lived together at Bangalore for about few weeks and his wife left the company without any sufficient reason and all his efforts to get her back proved futile. That I.A was disposed of directing the Administrative Officer and

Section Clerks to keep all the copies of petitions and handover the original petitions and I.A.s to respondent-wife for the purpose of submission of the same either at Bangalore or at Hindupur or at Ranga Reddy District. Aggrieved by the same, the present Civil Revision Petition is filed by the wife.

The learned counsel appearing for the petitioner submits that her marriage has been performed in Hindupur, because there is no availability of function hall in Bangalore at the time of her marriage with respondent and therefore, they found function hall at Hindupur, which is near to Bangalore and Hindupur is neither her residence nor the residence of respondent.

Heard the learned counsel appearing for both sides and perused the material made available on record.

It is no doubt true that the marriage of the parties was performed at Hindupur. Petitioner-wife

field OP before the Family Court, Hyderabad stating that she is residing in her relative's house at yousufguda, Hyderabad and to that extent no affidavit of her relatives is filed. Therefore the Court below held that the place of house of the petitioner's-wife's relatives has no jurisdiction to file OP and no cause of action arose at Hyderabad and accordingly, directed the Administrative Officer and Section Clerks to keep all the copies of petitions counters and docket duly certifying and hand over the original petitions and I.As to the respondent-wife for the purpose of submission of the same either at Bangalore or at Hindupur or at Ranga Reddy District as the Court at Hyderabad has no territorial jurisdiction and no cause of action arise at Hyderabad to entertain the OP and I.As.

In view of the above, I see no reasons to interfere with the order passed by the court below and accordingly, the Civil Revision Petition is

dismissed. There shall be no order as to costs.

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GHULAM MOHAMMED, J

DATE: 05.08.2011
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